

HOUSE BILL 2692
By McDaniel

AN ACT to amend Tennessee Code Annotated, Section 4-29-221 and Title 71, Chapter 4, Part 7, relative to the purchase of goods and services from individuals who are blind or have severe disabilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 71-4-701(a), is amended by deleting the language "assist blind and other severely handicapped individuals" and by substituting "assist individuals who are blind or have other severe disabilities".

SECTION 2. Tennessee Code Annotated, Section 71-4-702(2), is amended by deleting the language "work centers for other severely handicapped", and by substituting instead the language "agencies serving individuals with severe disabilities".

SECTION 3. Tennessee Code Annotated, Section 71-4-702(3) and (6), are amended by deleting the language "work center for the severely handicapped" wherever such terms appear and by substituting instead the language "agency serving individuals with severe disabilities".

Section 71-4-702(3) is further amended in subdivision (C) by changing the semi-colon after the words "fair market price" to a period, and by deleting the remainder of the subdivision.

SECTION 4. Tennessee Code Annotated, Section 71-4-702(4), is amended by deleting the language "advisory committee for purchase from the blind and other severely handicapped", and by substituting instead the language "committee for purchase from the blind and other severely disabled".

SECTION 5. Tennessee Code Annotated, Section 71-4-702(6), is further amended by deleting the word “handicapped” wherever it appears, and by substituting instead the language “disabled”.

SECTION 6. Tennessee Code Annotated, Section 71-4-702(7), is amended by deleting the subdivision in its entirety, and by substituting instead the following language:

“Severely disabled” and “severely disabled individual” means an individual or class of individuals with a physical or mental disability other than blindness, which, according to criteria established by rules approved by the committee for purchase from the blind and other severely disabled, after consultation with appropriate entities of the state and taking into account the views of nongovernmental entities representing the disabled, constitutes a substantial impediment to employment and is of such a nature to prevent the individual with such a disability from currently engaging in regular competitive employment.

SECTION 7. Tennessee Code Annotated, Section 71-4-703(a), is amended by deleting the word “advisory”, by deleting the word “handicapped” and substituting instead the word “disabled”, and by deleting the language “work centers for the severely handicapped” and by substituting instead the language “agencies serving individuals with severe disabilities”.

SECTION 8. Tennessee Code Annotated, Section 71-4-703(b), is amended by deleting the subsection in its entirety, and by substituting instead the following language:

(b) The committee shall provide oversight to the central nonprofit agency in developing and implementing a state procurement program of selected commodities and services from qualified work centers serving blind individuals and agencies serving individuals with severe disabilities; shall have authority to select a central nonprofit agency to implement the procurement program; and shall recommend fair market price for commodities and services submitted to the board of standards for certification.

SECTION 9. Tennessee Code Annotated, Section 71-4-703(c)(1), is amended by deleting the language “and other severely handicapped”, and by substituting instead the language “and agencies serving individuals with severe disabilities”.

Section 71-4-703(c), is further amended by adding the following language as a new subdivision (4):

(4) Evaluate pricing proposed by the central nonprofit agency to determine fair market price, which recovers the cost projected for the work center to produce or provide such commodities or services.

SECTION 10. Tennessee Code Annotated, Section 71-4-703(d), is amended by deleting the language “or severely handicapped” and by substituting instead “or agencies serving individuals with severe disabilities”.

SECTION 11. Tennessee Code Annotated, Section 71-4-704(a), is amended by deleting the language “work centers for other severely handicapped” and by substituting instead the language “agencies serving individuals with severe disabilities”.

SECTION 12. Tennessee Code Annotated, Section 71-4-704(b)(4), (5), (6) and (8) and subsection (c), are amended by deleting the word “workshops” wherever such word appears, and by substituting instead the words “work centers”.

SECTION 13. Tennessee Code Annotated, Section 71-4-702, is amended by adding the following new definition to be appropriately numbered:

“Work center” or “ Work centers” means and includes qualified nonprofit work centers for the blind and qualified nonprofit agencies serving individuals with severe disabilities.

SECTION 14. Tennessee Code Annotated, Section 4-29-221(a)(1), is amended by deleting the language “Advisory committee for purchase from the blind and other severely handicapped”, and by substituting instead the language “Committee for purchase from the blind and other severely disabled”.

SECTION 15. This act shall take effect upon becoming a law, the public welfare requiring it.